UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

COUNTY OF CASS, MINNESOTA Employer

and

Case 18-WH-079356

TEAMSTERS GENERAL LOCAL UNION NO. 346 Petitioner

CERTIFICATION OF REPRESENTATIVE AS BONA FIDE UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938

On April 23, 2012, Teamsters General Local Union No. 346 (the Union) filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. Sec. 207(b).

On May 1, 2012, the Regional Director served on the parties an Order to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized collective-bargaining representative of the unit employees, the Regional Director recommended to the Board that the requested certification be issued.¹

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board hereby certifies that Teamsters General

¹ The record indicates that the State of Minnesota Bureau of Mediation Services (BMS) issued an Amended Certification of Exclusive Representative, BMS Case No. 97-PRE-752, on March 13, 1997, certifying the Union as the exclusive collective-bargaining representative of the unit employees. The parties informed the Region that this certification contains the correct unit description, and that the parties' current collective-bargaining agreement effective from January 1, 2011 through December 31, 2012 contains an erroneous unit description.

Local Union No. 346 is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees employed in the Cass County Sheriff's Department in the following unit:²

All non-essential employees of the Cass County Sheriff's Department, Walker, Minnesota, who are public employees within the meaning of Minn. Stat. 179A.03 subd. 14, excluding supervisory and confidential employees.

Dated, Washington, D.C., June 27, 2012

By direction of the Board:

Lester A. Heltzer

Executive Secretary

² A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).